

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

STEVE RUBY,)	
)	8:05CV251
Plaintiff,)	
)	
vs.)	ORDER
)	
ROD KUSH FURNITURE d/b/a)	
Furniture on Consignment,)	
)	
Defendant.)	

This matter is before the court on the plaintiff's Motion to Dismiss With Prejudice (Filing No. 33).

IT IS ORDERED:

This matter is dismissed with prejudice, each party to bear its own costs.

DATED this 1st day of March, 2007.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge